

June 23, 2009

To: Teresa Parsons
Director's Review Program Supervisor

FROM Meredith Huff, SPHR
Director's Review Investigator

SUBJECT: Neal Wallen v. Washington State University (WSU)
Allocation Review No. ALLO-08-103

Director's Review Conference

Mr. Neal Wallen requested a Director's Review of his position's allocation by submitting a request received December 10, 2008. On June 10, 2009, I conducted a Director's review conference by phone. Present by phone were Mr. Wallen, employee and Ms. Kendra Wilkins-Fontenot, Senior Human Resources Consultant, representing WSU.

Director's Determination

The Director's review of WSU's allocation determination of Mr. Wallen's position is complete. The review was based on written documentation, classifications and information gathered during the review conference. As the Director's investigator, I have carefully reviewed all of the information provided and concluded that on a best fit of the overall duties and responsibilities, Mr. Wallen's position is properly allocated to the Plumber/Pipefitter/Steamfitter class.

Background

On December 7, 2007, Mr. Wallen submitted a Position Questionnaire/Position Description (PQ) to WSU Human Resources Office, requesting that his Plumber/Pipefitter/Steamfitter (P/P/S) position be reallocated to a Construction and Maintenance Project Specialist (CAMPS) class. The PQ was signed by Mr. Wallen's supervisor, Mr. Vern Illi. (Exhibit B-2) By letter dated March 6, 2008 Ms. Sally Savage, WSU General Counsel and Chief Human Resource Officer, notified Mr. Wallen that his position's duties best fit the P/P/S class and denied his request for reallocation to the Construction and Maintenance Project Specialist. Due to a change in WSU staffing, an identical letter, except with Ms. Wilkins-Fontenot's signature, was sent on November 13, 2008. Mr. Wallen submitted a request for a Director's review received December 10,

2008. (Exhibit A-1) Ms. Wilkins-Fontenot confirmed the time frame for this review is at least six months prior to December 7, 2007.

Summary of Mr. Wallen's comments

Mr. Wallen indicated that he is given his work assignments usually by the supervisor and sometimes by the lead. He described the assignment process as informal and noted his supervisor or the project coordinator does check his work. Once he has an assignment, he will go to the site, come up with a plan to do the job, design the job and obtain approval from the supervisor or client, then go ahead with the plan to complete the job. He indicated that some jobs are too large for just one person, so he will bring in another staff person to help him. Mr. Wallen pointed out that he used to be a steelworker so he also gets jobs that deal with structural changes, such as installing structural floor beams to increase load capacity of a building or reinforcing perimeter walls to stabilize a building. He specified that he builds structures to support hoists inside buildings. In addition, he does electrical wiring inside and outside buildings. In a pump house, he built a containment area using welded PVC sheets, to provide protection to the fluoride inspectors from the eruption of spray or leaks. He described another project of building a catwalk ten feet off the ground to access equipment at the campus incinerator. He explained that he has designed and built metal external ladders to provide an exit for people from a building's roof to the ground. Mr. Wallen indicated that once he looks at an assignment, he will usually go back to the shop and design a plan for meeting the client's needs. If the job is small, he may create parts of it in the shop; if the job is too big, he will complete it at the site. Mr. Wallen confirmed that he uses several journey-level skills in his work, including boilermaker, welder and fabricator, plumber, pipefitter, electrician, and steelworker. He explained that he felt the Construction and Maintenance Project Specialist best fits his job assignments.

Summary of WSU' comments

Ms. Wilkins-Fontenot stated she reviewed the CAMPS classifications for intent, as well as type and level of work. She determined that Mr. Wallen's position did not fit within the CAMPS class based on the work described and further, he did not meet the requirement to work at least 35 percent of his time at an off-campus research unit; Mr. Wallen works on campus. She noted she also reviewed the Maintenance Mechanic classes and determined they were not a best fit for Mr. Wallen's position.

She emphasized that the construction work Mr. Wallen completes is normally involved in the P/P/S arena; the boiler work is a small percentage of his work time and is part of the P/P/S class; and he does perform welding duties as do other people in his unit. Ms. Wilkins-Fontenot found that Mr. Wallen's assigned work is the best fit in the Plumber/Pipefitter/Steamfitter class.

Rationale for Director's Determination

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work accomplished, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and

responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

The Board has consistently held that "When there is a definition that specifically includes a particular assignment and there is a general classification that has a definition which could also apply to the position, the position will be allocated to the class with the definition that includes the position" Mikitik v Depts. of Wildlife and Personnel, PAB No. A88-021 (1989).

Further, the PRB has concluded that while one class appeared to cover the scope of a position, there was another classification that not only encompassed the scope of the position, but specifically encompassed the unique functions performed. Alvarez v. Olympic College, PRB No. R-ALLO-08-013 (2008).

Position Questionnaire/Position Description (PQ)

Mr. Wallen works in the Facilities Operations, Construction Division, at WSU as a Plumber/Pipefitter/Steamfitter. Mr. Wallen acknowledged that some of the information on the PQ was taken from class specifications and it does match his assignments. On the PQ attachments, Mr. Wallen lists his duties as follows, in part.

58% Plumber/steamfitter...Installs, maintains and repairs pipes, storm sewers....Repairs fixtures in shop by refacing, repacking, and re-seating valves, cutting and threading pipe, bending pipe..., .Inspects water mains, fixtures, sewer lines, valves, and septic tanks to determine need for maintenance and repair;...Installs, inspects, maintains and repairs steam and heating systems and such equipment as boilers,... Repairs and replaces pipe and pipe coverings; welds and threads pipe; Performs shop work such as disassembling valves and equipment...

35% Ironworker... Install structural steel of hoists and other material handling systems; Add metal structural members to buildings for remodels and/or additions; Install structural steel to increase load carrying capacities of floors and roofs; Replace failing structural support members; Assist in design of new remodels to building structures and for replacements of failing building structural members;...Devise own methods to install structural members as required...; Use and have knowledge of rigging apparatus on cranes and other equipment as required; Fabricate and install various required parts...;

5% Welder/fabricator....Performs skilled oxyacetylene, arc, and other types of welding and burning work...Performs skilled oxyacetylene, arc, and other types of welding and burning work;...Lays out work for many types of welding jobs...Sets up and welds such items as piping manifolds, metal Stairways, machinery guards, brackets, braces, and heavy construction equipment;...Welds and makes minor repairs on hand tools and other metal equipment; Cuts pipe, plate, and equipment ...; Operates variety of machine shop equipment such as hand or electric pipe threaders, grinding wheels, buffers, and drill presses; Supervises and instructs other welders, helpers, patients, or inmates;

2% Boilermaker...Modify tanks and vessels; May perform work on and off campus at various research centers;

Mr. Vern Illi, supervisor, signed the PQ and noted the level of supervision he provides to Mr. Wallen's position is "spot-check basis only." He also noted, "this person performs extra duties within his field of work, designing, engineering, estimating. These are performed more often than position requires." For an example of Mr. Wallen's decision making authority, Mr. Illi noted that "changes in design of install is left to employee if cost to project is minimal or will save time."

Classifications Reviewed

Construction and Maintenance Project Specialist (CAMPS) (class code 627E)

Definition: "Performs journey-level work in at least two skilled trades areas constructing, remodeling, repairing, and maintaining of buildings, facilities, utilities, machinery, and equipment."

Distinguishing Characteristics: "Under general supervision, performs construction, maintenance and repair work on facilities and equipment where construction activities constitute a significant portion of the working time. Construction includes erecting buildings and facilities such as greenhouses, screen houses, storage facilities, pump houses, animal waste handling facilities, barrier-free facilities, with complete mechanical and electrical systems. Conducts major remodels with space utilization changes involving lowering ceilings, removing and installing walls and installing all associated mechanical and electrical systems and fixtures. **In higher education, this class is distinguished from the Maintenance Mechanic class series by the requirement to perform work in at least two skilled trades areas in new construction at least thirty-five percent of the working time in an off-campus research and extension unit where access to campus skilled trades shops/ employees is limited by significant geographical distances. Positions fabricate apparatus, facilities, or systems unique to research studies.** (emphasis added)

I recognize there is an overlap of some duties and use of trade skills described in the CAMPS class with Mr. Wallen's assigned responsibilities. However, Mr. Wallen's position is located on the WSU main campus rather than at a research and extension unit that is separated from the main campus. Mr. Wallen's PQ does not indicate that he spends a majority of his time constructing, remodeling, repairing, and maintaining of buildings as anticipated by the Definition of the CAMPS. Rather, for a majority of his time, Mr. Wallen performs skilled plumbing and other work for a variety of projects. Mr. Wallen's position's duties do not meet the requirements of the Definition and Distinguishing Characteristics of the CAMPS. The Construction and Maintenance Project Specialist is not the best fit for the responsibilities and duties assigned to Mr. Wallen's position.

Plumber/Pipefitter/Steamfitter (P/P/S) (class code 621F)

Definition: "Performs skilled plumbing and/or steamfitting work."

While examples of **Typical Work** identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification. The

typical work identified in the P/P/S class specification most in line with Mr. Wallen's assignments for 58% of his work time includes:

- Installs, maintains and repairs pipes, storm sewers, septic tanks, sewage mains and laterals, valves, drains, basins, tubs, faucets, lavatories, sinks, gates, hydrants, water coolers, and dishwashers;
- Repairs fixtures in shop by refacing, repacking, and re-seating valves, cutting and threading pipe, bending pipe, replacing pump bushings and washers, and testing valves and other pressure equipment;
- Inspects water mains, fixtures, sewer lines, valves, and septic tanks to determine need for maintenance and repair;
- Cleans, maintains, and repairs power and hand tools; Estimates materials and time needed to complete jobs; May direct and instruct helpers, patients or inmates; Performs other work as required.
- Installs, inspects, maintains and repairs steam and heating systems and such equipment as boilers, radiators, oil burners, pumps, traps, valves, and laundry and kitchen equipment;
- Repairs and replaces pipe and pipe coverings; welds and threads pipe;
- Performs shop work such as disassembling valves and equipment, replacing worn parts, and reassembling and testing equipment;

When comparing the totality of Mr. Wallen's assigned duties and responsibilities to the job classifications, the P/P/S class provides the best fit. While Mr. Wallen has specialized knowledge and may perform journey-level skilled duties in other trades, the majority of work assigned to his position, as documented on the PQ, requires knowledge and application in the plumber/pipefitter/ steamfitter skill fields. Mr. Wallen independently performs a variety of plumbing maintenance and repair work which is consistent with the level of work anticipated by the P/P/S class.

Mr. Wallen performs skilled work in a variety of areas. In addition, the level of plumbing, structural remodeling, welding and other maintenance work often extends to journey level. The Plumber/Pipefitter/Steamfitter classification is a better fit for Mr. Wallen's position's responsibilities than the multi-skilled classes of the CAMPS series or the specific trade classes of Welder/Fabricator (class code 630E), Stationary Engineer 2 (class code 602K), or Electrician (class code 608F). Mr. Wallen's position is properly allocated to the Plumber/Pipefitter/Steamfitter class.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following: *"An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources boardNotice of such appeal must be filed in writing within thirty days of the action from which appeal is taken."*

Neal Wallen v WSU
Allocation Review ALLO 08-103

Please note telephone and address changes:

June 26 through July 3, 2009, the offices of the Director's Review Program and Personnel Resources Board Appeals Program will move to the Department of Personnel building located at 600 South Franklin in Olympia. Starting June 26, 2009, the main phone number for the two programs will be **360-664-0388**. The fax number remains the same, **360-753-0139**.

All requests for Director's Reviews and appeals to the Personnel Resources Board must be filed:

In person at:

600 South Franklin
Olympia, WA 98504-7530

OR

By mail at: (unchanged)

Mail Stop 40911
Olympia, WA 98504-0911

If no further action is taken, the Director's determination becomes final.

cc: Neal Wallen, WSU
Kendra Wilkins-Fontenot, WSU
Lisa Skriletz, DOP

Enclosure: Exhibits List

Exhibits List

A. Neal Wallen's Exhibits

1. Director's Review Request-PRB appeal form-December 10, 2008
2. A letter of explanation from Mr. Wallen
3. WSU allocation determination, November 13, 2008.

B. Washington State University Exhibits:

1. Position Questionnaire/Description dated 11/2007 with Attachments:
 - a. Specify the type of work you perform, which you consider to be outside of your present Class Specification:
 - b. I currently perform all the duties and responsibilities of a plumber/steamfitter as listed below:
 - c. Working Conditions
 - d. Organizational Chart
2. Spreadsheet of work performed by the employee (submitted by employee)
3. Construction & Maintenance Project Specialist – 627E Class Specification
4. Plumber/Pipefitter/Steamfitter – 621F Class Specification
5. Maintenance Mechanic 2 – 626K Class Specification:
6. Welder-Fabricator – 630E Class Specification:
7. Memo regarding results of Classification Review, dated March 6, 2008
8. Memo regarding results of Classification Review dated November 13, 2008

C. Additional Employee Exhibits:

1. Letter to Ms. Wilcox
2. Position Questionnaire/Position Description
3. Chart -Work performed by employee 3/01/2007-9/01/2007
4. Chart -Work performed by employee 9/01/2006-9/01/2007
5. Chart -Work performed by employee 9/01/2007-01-02-2009